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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,335	06/26/2001	Jin-Lin Chen	MSI-913US	1132
22801	7590	05/09/2006	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			SHAH, SANJIV	
			ART UNIT	PAPER NUMBER
			2624	

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,335

Applicant(s)

CHEN ET AL

Examiner

Sanjiv D. Shah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Application filed on 3/14/2005.
2. Claims 1-58 are pending in the case. Claims 1, 6, 15, 16, 25, 26, 29, 31, 43, 45, 53, and 54 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (USPN 5,537,526 - issued on 7/1996) in view of Bergman (USPN 6,564,263 B1 - filed 12/1999), and further in view of Makipaa et al. (USPN 6,556,217 B1 - filed 06/2000).

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Regarding independent claim 29 and (claims 1-3, 6-8, 11-12, 15-17, 18-22, 25-26, 31-40, 43-54, and 56-58), Anderson discloses: One or more computer-readable media having computer-readable instructions thereon which, when executed by one or more processors, cause the one or more processors to:

analyze one or more functions associated with a page that is configured for presentation on a first device type (Anderson on col. 14, line 26 - col. 15, line 30 teaches one or more commands associated with the document) by generating one or more function-based object models that represent objects (Anderson on col. 13, lines 16-42 teaches Model Command Objects operating with the command objects to change model) comprising the page, said objects comprising:

one or more basic objects associated with the page, objects comprising a smallest information body that cannot be further divided, said one or more objects (Anderson see Abstract and col. 1, line 59- col. 2, line 5 teaches object oriented framework of a compound document to support changes using command objects) being configured to perform one or more of the following functions:

(1) providing semantic information, (1) navigating to other objects, (3) providing a visual effect on the webpage, and (4) enabling user interaction (Anderson on col. 11, lines 13-24 teaches providing data presentation to be viewed and/or modified by the user and on col. 1, line 59 - col. 2, line 5 teaches framework of the document provide support of document changes);

said generating of the one or more function-based object models comprising generating at least one function-based object model for a object (Anderson on col. 13,

lines 16-42 teaches Model Command Objects for command objects that operates on the model to change the model), said at least one function-based object model being generated as a function of one or more of the following properties: (1) a presentation property that defines a way in which the object is presented, (3) a decoration property pertaining to an extent to which the basic objects serves to decorate the page, (4) a hyperlink property pertaining to an object to which the basic object points via a hyperlink, and (5) a interaction property pertaining to an interaction method-of the basic object (Anderson on col. 4, lines 51-61 teaches the user can provide links within the document framework and on col. 14, line 26 - col. 15, line 39 teaches commands used to manipulate the display of a compound document).

However, Anderson does not explicitly disclose "basic object" and "clustering relationship property pertaining to a relationship among root children of the composite object, presentation relationship property pertaining to a presentation order associated with the root children of the composite object" and "composite objects comprising objects that contain other objects, said one or more composite objects having a clustering function".

Bergman on col. 21, lines 48-60 teaches simple and composite objects; on col, 3, lines 36-51 and col. 17, lines 29-40 teaches relationships between presentation objects; and on col. 6, lines 62-64 teaches specification of semantics and syntax for combining media objects into composite objects.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Bergman into Anderson to provide simple and

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composite objects and define presentation relationship of an object, as taught by Bergman, incorporated into the object oriented framework of Anderson, in order to provide a unified framework.

However, Anderson and Bergman do not explicitly disclose "adapt the webpage for presentation on a second device type that is different from the first device type".

Makipaa discloses adapting page to be displayed based on the device capabilities (col. 3, lines 14-46).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Makipaa into Anderson and Bergman to provide a way to adapt page based on device capabilities, as taught by Makipaa incorporated in the systems of Anderson and Bergman, in order to allow maximum utilization of a device for the user.

Regarding dependent claims 4, 9, 13, and 27, Makipaa discloses "adapting in view of one or more networking conditions" teaches adapting page to be displayed based on the device capabilities and network volume (col. 2, lines 1-23).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Makipaa into Anderson and Bergman to provide a way to adapt page based on device capabilities, as taught by Makipaa incorporated in the systems of Anderson and Bergman, in order to allow maximum utilization of a device for the user.

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Regarding dependent claims 5, 14, and 28, Makipaa discloses "adapting comprises doing so in view of one or more user preferences", on col. 5, line 65 teaches user profile.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Makipaa into Anderson and Bergman to provide a way to adapt page based on device capabilities, as taught by Makipaa incorporated in the systems of Anderson and Bergman, in order to allow maximum utilization of a device for the user.

Regarding dependent claims 10 and 24, Makipaa discloses "adapting comprises applying one or more rules", on col. 3, lines 14-28 teaches layout rules.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Makipaa into Anderson and Bergman to provide a way to adapt page based on device capabilities, as taught by Makipaa incorporated in the systems of Anderson and Bergman, in order to allow maximum utilization of a device for the user.

Regarding dependent claims 23 and 41, Makipaa discloses "using rule-based decision tree" on col. 3, lines 14-28 teaches rules are defined in a layout structure.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Makipaa into Anderson and Bergman to provide a way to adapt page based on device capabilities, as taught by Makipaa incorporated in

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the systems of Anderson and Bergman, in order to allow maximum utilization of a device for the user.

Regarding dependent claims 30 and 55, Makipaa discloses "adapt the webpage for presentation on a WAP-enabled device", on col. 2, lines 1-23 teaches WAP device.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Makipaa into Anderson and Bergman to provide a way to adapt page based on device capabilities, as taught by Makipaa, incorporated in the systems of Anderson and Bergman, in order to allow maximum utilization of a device for the user.

Regarding dependent claim 42, Bergman discloses "assigning a category from a set of object categories", on col. 8, lines 10-19 teaches categories of data.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Bergman into Anderson to provide simple and composite objects and define presentation relationship of an object, as taught by Bergman, incorporated into the object oriented framework of Anderson, in order to provide a unified framework.

Response to Arguments

5. Applicant's arguments filed 3/14/2005 have been fully considered but they are not persuasive. Specifically, applicant argues that there is no motivation to combine

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references. Applicant argues that motivation provided to combine references is improper. Applicant argues that the motivation of "providing unified framework is equivalent to increasing efficiency and therefore the motivation is improper. Examiner disagrees. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or **in the knowledge generally available to one of ordinary skill in the art**. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the obviousness is established by **knowledge generally available to one of ordinary skill in the art** and therefore the motivation is proper.

Applicant further generally allege that the cited prior art fails to teach claimed limitation. However applicant fails to specifically cite a limitation that is not taught. No comparison with cited prior art is made. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Therefore applicant's arguments are not persuasive.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanjiv D. Shah whose telephone number is (571) 272-4098. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sanjiv D. Shah
Primary Examiner
Art Unit 2176

S. Shah
June 10, 2005